

STATEMENT OF BASIS (AI No. 26749)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0115606 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Greater Baton Rouge Port Commission
Barge Terminal Property
P.O. Box 380
Port Allen, LA 70767

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: February 1, 2008

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: February 1, 2003
LPDES permit expiration date: January 31, 2008
EPA has not retained enforcement authority.

C. Date Application Received: August 7, 2007

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - transportation and warehousing facility

The discharge is from the operation of a groundwater remedial treatment system approved by an LDEQ corrective action plan. Sanitary wastewater discharges to a treatment system permitted under LA0102946 issued to Kinder Morgan Bulk Terminals, Inc.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I BPJ'd to 5 points due to the type of water being discharged
3. Wastewater Type: II
4. SIC code: 4491

C. LOCATION - 1002 Barge Canal Rd. in Baton Rouge, East Baton Rouge Parish
Latitude 30°33'32", Longitude 91°13'03"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: treated recovered groundwater (from 1 groundwater recovery well: MW-4C)

Treatment: carbon absorption

Location: the south side of the facility

Flow: 5,968 gpd

Discharge Route: Baton Rouge Harbor, thence into the Mississippi River

4. RECEIVING WATERS

STREAM - Baton Rouge Harbor, thence into the Mississippi River

BASIN AND SEGMENT -The discharge is into Baton Rouge Harbor, which is physically located in subsegment 070203 of the Mississippi River Basin, defined at LAC 33:IX.1123.Table 3 as Devil's Swamp Lake and Bayou Baton Rouge. However, the discharge from the Port of Greater Baton Rouge does not flow into either of these defined waterbodies, rather into subsegment 070201, defined at LAC 33:IX.1123.Table 3 as the Mississippi River from Old River Control Structure to Monte Sano Bayou. Therefore, for purposes of issuing this permit, subsegment 070201 will be used in the development of requirements.

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. TMDL Waterbodies

The discharges from the Greater Baton Rouge Port Commission are to the Mississippi River, Subsegment 070201 of the Mississippi River Basin. Subsegment 070201 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Summary of Proposed Changes From the Current LPDES Permit: None

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7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of recent compliance actions were found.

B. DMR Review/Excursions - DMRs were reviewed from September 2005 to September 2007. The excursions are as follows:

<u>Date</u>	<u>Parameter</u>	<u>Outfall</u>	<u>Reported Value</u>	<u>Permit Limits</u>
9/2006	tetrachloroethylene	001	720 µg/l	164 µg/l

8. EXISTING EFFLUENT LIMITS

Outfall 001 -

TOC	---:50 mg/l
1,1,1-trichloroethane	---:59 µg/l
tetrachloroethylene	---:164 µg/l
pH	6.0 - 9.0 su

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070201 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 10/24/07 from Boggs (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

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11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

In accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.h, facilities classified as SIC code 4491 are not considered to have stormwater discharges associated with industrial activity unless they have "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." This facility does not have vehicle maintenance shops and equipment cleaning operations. Therefore, due to the fact that this facility is a groundwater remedial treatment system where nothing is stored outside, a Stormwater Pollution Prevention Plan is not required in this permit.

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Rationale for Greater Baton Rouge Port Commission

1. Outfall 001 treated recovered groundwater (estimated flow is 5,968 gpd)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max	<u>Reference</u>
Flow (MGD)	---:Report	
TOC	---:50 mg/l	*BPJ
1,1,1-trichloroethane	---:59 µg/l	**BPJ
tetrachloroethylene	---:164 µg/l	**BPJ
pH	6.0 - 9.0 su	*BPJ

Treatment: carbon absorption

Monitoring Frequency: Once every two weeks for flow and pH, and monthly for all other parameters at the point of discharge from the treatment plant, located on the south side of the facility. Monitoring frequency is based on BPJ.

Limits Justification: * TOC and pH limitations are based on permitting guidance for similar discharges and previous permit. **1,1,1-trichloroethane, and tetrachloroethylene limitations are based on the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) Guidelines at 40 CFR 414 Subpart J and previous permit.

BPJ Best Professional Judgment
 su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.